

### **REMARKS**

Claim 21 has been cancelled. Claims 1, 9, 17, 26, and 36 have been amended to include limitations from claim 21.

Claims 1-36 are pending in this application. Reconsideration of the rejections of all claims and allowance are earnestly solicited in view of the amendments and the following remarks.

#### **Rejection of Claims under 35 USC §103(a)**

The Office Action rejected claims 1,4, 6-12, 14-20, 22-29 and 31-36 under 35 U.S.C. §103(a) as being unpatentable over Sim *et al.* (US Publication 2002/0083187 A1) in view of Hickman *et al.*, (U.S. Patent No. 6,523,036). The Office Action further rejected claims 5 and 13 under 35 U.S.C. §103(a) as being unpatentable over the combination of Sim and Hickman in further view of Vu (US Publication 2004/0143582 A1). Additionally, the Office Action rejected claims 21 and 30 under 35 U.S.C. §103(a) as being unpatentable over the combination of Sim and Hickman in further view of Kerwin. These rejections are respectfully traversed.

Claims 1, 9, 17, 26, and 36 as amended require storing a first copy of a metadata set in read/write format in one logically partitioned section of a database storage facility and storing a second copy of the metadata set in read-only format in another logically partitioned section of the database storage facility. The Office Action acknowledges that Sim, Hickman, and the combination of Sim and Hickman fails to teach this required limitation. The Office Action, however, alleges that Kerwin discloses this limitation.

Kerwin is directed towards a system for providing load balancing and scalable access to a network database system. The Office Action alleges that Kerwin discloses a

system including databases for storing read/write data format and read only format that are maintained by a system administrator. However, Kerwin teaches that multiple instances of data are stored in a scatter set (Kerwin paragraph 35). The scatter set stores data in Read/Write databases. No mention is made of using both Read/Write and Read-Only databases. This is in contrast to the claimed invention where a first copy of a metadata set in a read/write format is stored in a first logically partitioned section of a database and a second copy of the metadata set in a read-only format is stored in a second logically partitioned section of the database.

The Office Action notes paragraph 111 of Kerwin as describing read/write and read-only databases. Paragraph 111 does describe a Read/Write database. However, the only read-only database in is a Read-Only Local Database List. The Read-Only Local Database List is an XML file maintained by the system administrator for storing location information for database replicated instances used for record retrieval. The Read-Only Local Database List does not store a copy of a read-only metadata set. Kerwin, therefore, does not disclose the limitations of the claims. Additionally, Vu does not cure any of the deficiencies found in Sim, Hickman, Kerwin, and the combination of Sim, Hickman, and Kerwin. Accordingly, applicant respectfully requests a withdrawal of the rejection of claims 1-36.

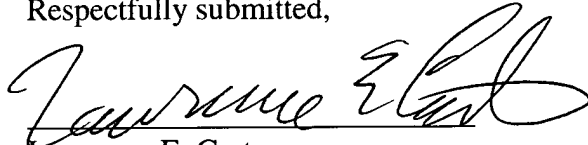
**CONCLUSION**

Claims 1-36 distinguish over Sim *et al.* and other art of record for at least the reasons noted above. The application is consequently in condition for allowance, and applicants respectfully request entry of this Amendment and acknowledgment of the same by Notice of Allowance. Should however any issues remain before the issuance of this application, the Examiner is urged to contact the undersigned to expedite the resolution of the same. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112 referencing Attorney Docket No. MFCP.103967.

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Respectfully submitted,



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